

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Jerry Duncan	Acting Council President
	Henry Perea	Councilmember
	Cynthia Sterling	Councilmember
	Larry Westerlund	Councilmember
	Mike Dages	Council President

Dan Hobbs, City Manager  
Jon Ruiz, Assistant City Manager  
Hilda Cantu Montoy, City Attorney  
Becky Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk  
Cindy Bruer, Deputy City Clerk

City Manager Hobbs gave the invocation and Council President Dages led the Pledge of Allegiance.

#### PROCLAMATION OF "MARTIN MCINTYRE DAY" – ALL COUNCILMEMBERS

Each Councilmember commended Mr. McIntyre for his hard work and dedication to the City and in turn Mr. McIntyre spoke highly of the City and thanked his staff for their fine service to the community.

RECESS – 8:59 A.M. – 9:10 A.M.

#### PRESENTATION OF PLAQUES OF APPRECIATION TO MOSQUEDA LITTLE LEAGUE SPONSORS FOR 2004 – COUNCIL PRESIDENT DAGES

Presentations made.

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#### **APPROVE MINUTES OF FEBRUARY 1, 2005**

On motion of Councilmember Duncan, seconded by Councilmember Sterling, duly carried, RESOLVED, the minutes of February 1, 2005, approved as corrected, on Page 145-41, last paragraph, by (1) correcting the spelling of Keith Kelly's name from Kelley to Kelly, and (2) indicating he is a member of the Fresno West Coalition Work Group (and not the West Fresno Work Group).

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#### **COUNCILMEMBERS REPORTS AND COMMENTS**

##### MARDI GRAS EVENT IN THE TOWER DISTRICT – COUNCILMEMBER BOYAJIAN

Councilmember Boyajian stated the Mardi Gras Event held in the Tower District was a great success and thanked the Tower District for their hard work in providing a positive event .

##### FRESNO COUNTY'S REQUEST TO CONTRACT WITH THE CITY RELATING TO GRAFFITI – COUNCILMEMBER DUNCAN

Councilmember Duncan expressed concern with the County's request to contract with the City to control graffiti and stated he would not support the contract because the City needed to concentrate on the graffiti problem within the City limits. Assistant City Manager Souza stated a tray memo would be provided with the specifics of the contract.

#### SCHEDULE MEETING WITH THE CITY ATTORNEY'S OFFICE TO EXPLAIN CODE ENFORCEMENT – COUNCILMEMBER WESTERLUND

Councilmember Westerlund stated a meeting has been scheduled for February 16, 2005, with the City Attorney's Office where they would be explaining the current regulations relating to Code enforcement and invited two more Councilmembers to the meeting. Councilmember Westerlund also informed the Council he would be bringing forth an anti-slumlord policy and would like more people to be involved in the process and stated one of the goals being pursued was the possibility of publishing a list of slumlords on a website.

#### SCHEDULED COUNCIL AND HEARING MATTERS – COUNCILMEMBER CALHOUN

Councilmember Calhoun stated he had made a request in November, 2004, for staff to schedule a Master Fee Schedule Workshop with City Manager Hobbs responding he will research the matter and advise Council when the workshop has been scheduled. Councilmember Calhoun directed the workshop be scheduled within two weeks and requested the City Clerk advise him of the date and time of the workshop.

#### RESOLUTION PREVIOUSLY PRESENTED TO COUNCIL RELATING TO UNEMPLOYEMENT AND OBJECTING TO SPECIFIC CUTS – COUNCILMEMBER CALHOUN

**(2-0)** Councilmember Calhoun reviewed the resolution previously adopted by Council and stated that Congress would be releasing a report showing Fresno at the bottom in terms of poverty areas. Councilmember Calhoun encouraged staff and Council to watch closely what was being proposed in the Federal budget and quoted the Wall Street Journal relating to the 2006 budget, noting there would be a 23% cut in housing and community development, more cuts in transportation, education/job training, energy, environment, natural resources and agriculture and quoted another portion of the Wall Street Journal stating White House officials said the consolidation of programs and adjustments of programs would allow the government to focus its resources on the poorest communities and concluded.

#### COMMENDATION TO PR&CS FOR CLEANING UP ALONG KEARNEY BOULEVARD – COUNCILMEMBER STERLING

Councilmember Sterling thanked the PR&CS and EOC for the clean-up along Kearney Boulevard and also noted the Chinatown New Year's parade was held last Saturday with a record crowd.

#### CONTRACTING WITH FRESNO COUNTY FOR GRAFFITI PROBLEM – COUNCILMEMBER PEREA

Councilmember Perea stated, for the record, there was a prior graffiti problem in the Mayfair area where the City did a wonderful job cleaning up the graffiti on the City side of the street but directly across the street remained graffiti because it is located in a County pocket and expressed his support for contracting with Fresno County to deal with the graffiti in the entire area.

#### DISCUSS COUNCIL SCHEDULE FOR PRESENTATION BY BAKMAN WATER COMPANY – COUNCIL PRESIDENT DAGES

With Council consensus, Council President Dages requested a presentation by Bakman Water Company be set for March 15, 2005 at 11:00 a.m. **(NOTE: PRESENTATION SUBSEQUENTLY CHANGED TO MARCH 1, AT 10:30 A.M.)**

#### AIRING OF THE FRESNO CITY COUNCIL MEETING ON CHANNEL 14 – COUNCIL PRESIDENT DAGES

Council President Dages questioned Channel 14 not airing the Council meetings during the evening with City Manager Hobbs stating in the future Channel 14 will not be airing the Council meetings, but Channel 96 would still broadcast live and will soon begin to rebroadcast the Council meetings during the evening.

## FLOWER SALES FOR VALENTINE'S DAY – COUNCIL PRESIDENT DAGES

Council President Dages questioned what Code Enforcement would be doing about vendors selling Valentine's Day flowers without a business license with Assistant City Manager Souza stating he would contact Code Enforcement to discuss the enforcement.

## NO NEIGHBORHOOD LEFT BEHIND – COUNCIL PRESIDENT DAGES

Council President Dages requested Public Works staff notify the appropriate Council District a week to ten days prior to beginning the "No Neighborhood Left Behind Project" in order to allow time for the Districts to notify the residents. Public Works Director Healey stated he would provide the dates to the Council by the end of the day.

## RELAMPING PROJECT OCCURRING IN SOUTHEAST FRESNO – COUNCIL PRESIDENT DAGES

Council President Dages stated he had made an earlier request for staff to inform him of the areas where the relamping projects were occurring in southeast Fresno. City Manager Hobbs stated he would provide the requested information.

## MEDIAN ISLAND PROBLEM IN DISTRICT 5 – COUNCIL PRESIDENT DAGES

Council President Dages stated a maintenance district in the area near Clovis and Church Avenue, on California Avenue between Clovis and Sunnyside, had approximately 60 dead plants and expressed concern for residents in that area paying taxes on an annual basis and requested staff provide information as to when the plants would be replaced. City Manager Hobbs advised a report would be provided and would state there were insufficient resources available however the report would provide options.

## SISTER CITY KOCHI JAPAN – COUNCIL PRESIDENT DAGES

Council President Dages stated Sister City Kochi Japan invited any interested Councilmember to Kochi Japan to participate in their 40<sup>th</sup> anniversary celebration on March 26<sup>th</sup> and noted he had the information if anyone was interested.

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## **APPROVE AGENDA**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8** **Property:** Parcels at 800 "M" Street and 808 "M" Street **Negotiating Parties:** Andrew Souza and Daniel Hobbs; Ophelia Family Trust **Under Negotiation:** Negotiation of price for acquisition and lease of property

City Clerk Klisch advised the above entitled closed session item was continued to February 15, 2005.

**PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT – Government Code Section 54957** **Title:** Executive Director of the Redevelopment Agency

City Clerk Klisch advised the above entitled closed session item was not a ***joint*** closed session with the Redevelopment Agency and should be listed under regular closed session.

**(1F) RESOLUTION -** Approving the reallocation of \$125,000 from Shields (Sunnyside-Clovis) MD-DIA (RC00064) project to fund Roeding-Kearney at West 36" new (RC00038) project in order to provide sufficient funds to complete the construction project – Public Works Dept.

City Clerk Klisch advised the number of MD-DIA (RC00064) on the above entitled item was listed correctly on the agenda, but the number in the staff report MD-DIA (RC00069) needed to be corrected to correspond to the agenda.

**CONFERENCE WITH LEGAL COUNSEL- DECIDING WHETHER TO INITIATE LITIGATION -** Government Code Section 54956.9, subdivision (c) **Case Name:** City of Fresno v. International Union of Operating Engineers, Stationary Engineers (Local 39)

**CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6 **City Negotiator(s)**: Jon Ruiz  
**Employee Organization(s)**: International Union of Operating Engineers, Stationary Engineers (Local 39)

City Attorney Montoy advised the above entitled closed session items were continued to February 15, 2005.

On motion of Councilmember Westerlund, seconded by Councilmember Boyajian, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes : Boyajian, Calhoun, Duncan, Perea, Sterling, Westlund, Dages  
Noes : None  
Absent : None

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## **ADOPT CONSENT CALENDAR:**

\_\_\_\_\_ Councilmember Boyajian pulled Item **1-A** for discussion, and along with Councilmember Westerlund registered their "NO" vote on Item **1-G**.

**(1-B)** APPROVE ADDENDUM NO. 3 TO THE CARGO BUILDING LEASE AND AGREEMENT WITH AMERICAN AIRLINES, INC., TO EXTEND THE LESE TERM FOR TWO YEARS, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE ADDENDUM NO. 3 ON BEHALF OF THE CITY OF FRESNO

**(1-C)** REJECT THE TWO BIDS RECEIVED FOR THE FRESNO YOSEMITE INTERNATIONAL AIRPORT TICKETING LOBBY REHABILITATION PROJECT BECAUSE THE BIDS RECEIVED EXCEED THE ENGINEERS ESTIMATE BY 36% AND 54% RESPECTIVELY, AND STAFF TO REBID THE PROJECT WITH REVISED SPECIFICATIONS

**(1-D) RESOLUTION NO. 2005-37 - 8<sup>TH</sup>** AMENDMENT TO SALARY RES. 2004-213 REALIGNING THE SALARY STEP RANGE OF THE CHIEF OF WASTEWATER ENVIRONMENTAL SERVICES, ADDING THE JOB TITLE OF ADMINISTRATIVE MANAGER, AND ADDING THE CLASSIFICATION OF CHIEF OF FACILITIES MAINTENANCE

**(1-E)** AWARD A CONTRACT TO LANE ELECTRIC, INC., IN THE AMOUNT OF \$252,646 FOR FIELD LIGHTING UPGRADES AT VARIOUS CITY PARKS

**(1-F) RESOLUTION NO. 2005-38 -** REALLOCATING \$125,000 FROM THE SHIELDS (SUNNYSIDE TO CLOVIS) MID-SIZED DIAMETER REHAB (RC00064) FUND TO THE ROEDING-KEARNEY @ WEST 36" NEW CONSTRUCTION FUND TO PROVIDE FUNDS NEEDED TO COMPLETE THE WHITESBRIDGE SEWER MAIN CONNECTIONS AT MARKS AND WEST AVENUES

On motion of Councilmember Westerlund, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes :	Boyajian, Calhoun, Duncan, Perea, Sterling, Westerlund, Dages
Noes :	None
Absent :	None

**(1-G) BILL NO. B-7 - ORDINANCE NO. 2005-9 -** AMENDING ARTICLE 27 OF CHAPTER 10 OF THE FRESNO MUNICIPAL CODE RELATING TO EMERGENCY SERVICES

On motion of Councilmember Westerlund, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Bill No. B-7 adopted as Ordinance No. 2005-9, by the following vote:

Ayes :	Calhoun, Duncan, Perea, Sterling, Dages
Noes :	Boyajian, Westerlund
Absent :	None

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## **CONTESTED CONSENT CALENDAR:**

**(1-A) RESOLUTION NO, 2005-39 - 59<sup>TH</sup>** AMENDMENT TO AAR 2004-209 APPROPRIATING \$500,000 FOR ENVIRONMENTAL, LEGAL, AND RELATED SUPPORT SERVICES FOR ONGOING CONTAMINATION INVESTIGATION AND INTERIM ACTION AT OLD HAMMER FIELD/FRESNO YOSEMITE INTERNATIONAL AIRPORT CONSISTENT WITH AN AGREEMENT BETWEEN THE POTENTIALLY RESPONSIBLE PARTIES (PRPS)

Aviation Director Widmar and Assistant City Manager Souza responded briefly to questions of Councilmember Boyajian relative to what "retained earnings" were, the term "no impact to the general fund" and if this expense would impact the department, and where the funds would have come from if the cost had been \$800,000.

On motion of Councilmember Boyajian, seconded by Councilmember Westerlund, duly carried, RESOLVED, the above entitled Resolution No. 2005-39 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Duncan, Perea, Sterling, Westerlund, Dages  
Noes : None  
Absent : None

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**(9:30 A.M.) REQUEST FOR PRESENTATION AND INFORMATION FROM CITY MANAGER ON THE NEW PERFORMANCE-BASED PAY FOR MANAGERS AS OUTLINED AND REQUESTED IN THE STAFF REPORT**

Councilmember Calhoun stated he supported the concept of outcome-focused government, noted he brought the issue forth over a year ago, stated he was not been aware staff had been working on this, and stated Council had the right to comment on it as it dealt with city funds; expressed his concerns with the system stating it was premature, it had a tie to Imagine 21 training and was being used as a tool to evaluate employees when it was supposed to help them, and he did not like the monthly evaluations, elaborating on each issue throughout; stated since he first scheduled this matter on the agenda things within the City had spiraled down and he did not see this as stabilizing the process; and noted senior managers had left the City organization and spoke to the firing of the public utilities director, the related city expansion/LAFCO issue, and expressed his strong concern stating he was very unhappy with the system and the firing.

City Manager Hobbs recognized and commended the city officials and staff involved in the outcome-focused government concept for their leadership and support; stated what was being done here was very hard as it would change the way the city does business for the better; clarified performance pay was a key ingredient in outcome-focused government but it was just one ingredient out of nine elements and reviewed each of the elements **(3 - 0)**; stated the pay-for-performance element itself was good management and explained; reviewed the Pay-For-Performance Plan as contained in his report as submitted; and concluded stating performance pay was a key ingredient in the entire outcome-focused government initiative and would change organizational conversations from the usual "I need more staff", etc., to "let's find a way to do this and focus on the outcome."

Mr. Hobbs and Assistant City Manager Souza responded at length to questions, comments and concerns of Councilmember Boyajian relative to why this plan was being presented as something new when it was included in some employee MOUs, if the plan had been rated/if any analysis was conducted on its' impact on employees, if any documentation/forms had been filled out, the evaluation form and who devised it, if this was a personnel issue and need for personnel staff to evaluate employees, concern with the credibility of individuals who will conduct evaluations, this being subjective and about control, need to not tie Imagine 21 to this as that training was intended to build employees up and this was "beating them down", and the situation five years ago and why the Macias audit was initiated.

Speaking in opposition to the Pay-For-Performance Plan were: Jackie Parks, City employee and President of the Fresno Police Officers' Association (FPOA) **(4 - 0)**; Alex Correa, FCEA business representative; and Ken Dodd, FPOA business representative.

Extensive discussion continued. Councilmember Sterling stated she concurred with Councilmember Calhoun's and Boyajian's concerns, stated the concept was not a bad one but she felt it was just not well thought out, and elaborated on the issue at length, specifically the cost associated with the plan and lack of city resources. Councilmember Duncan thanked the Mayor, city manager and staff for starting the implementation adding they had his support, stressed this was not about punitive efforts to hurt employees and spoke of his experience in the private sector when pay for performance was implemented, stated he was impressed with the process and where it was headed, and in conclusion encouraged the city manager to personally get more involved in communicating to council what is going on. Councilmember Westerlund stated he supported accountability and providing services to the taxpayers in the most effective and efficient manner as possible, stated he was struggling to understand the system and concurred there was a problem with communicating to council, and presented questions at length relative to who "all the appropriate employees" were that the plan would be applied to, number of employees that would be affected in the first phase, the risk and reward amount, E-class positions and salary ranges, if salary increases are currently based on merit, number of affected employees in the E-range, number of evaluations the planning & development director would conduct **(5 - 0)**, if evaluation sessions would be formal or informal, the guidelines relative to pay loss and bonuses and who has authority to determine those, and under-performer conflicts, with Mr. Souza and Mr. Hobbs responding throughout. Councilmember Perea stated he was hearing there was very little or no support from the employees and a majority non-support of Council, and presented questions relative to whether Council had any authority over the matter or if it could take any action, if the plan was being implemented now, if this matter would only come back to council after staff meets and confers with the bargaining units, and if the red flags identified by the city attorney had been addressed, with City Attorney Montoy and Mr. Hobbs responding throughout. Councilmember Perea acknowledged time was of the essence but stated there was a good way to do this where you don't have employees speaking out against the administration and you don't have the City Council learning about this via the Fresno Bee, reiterated there was no support among the rank and file and very little on the dais and encouraged staff to stop and take a second look

at this and start meeting with the labor groups, also suggested forming a council-committee to work with the administration to work out issues, and stated he would wait to hear from the city attorney to see at what point council could intervene, get involved, and be a part of the decision-making process as council also played a large role in the quality of life for employees. Mr. Souza stated to say all employees were opposed because there were a few members in the audience was way too broad a characterization; relative to the previous administrative order referenced earlier by Councilmember Boyajian clarified the pay plan was part of the administrative authority and prerogative; stated council's input was appreciated and was being worked with and that was why the first six months was going to be a learning period; stated a lot of this was fear of change and fear of the unknown, concerns were being worked through, and work was ongoing with the affected 26 employees to continue to discuss and refine the plan until staff is confident July 1<sup>st</sup> there will be a plan that everyone will embrace; and again reiterated paying department directors and administrative staff rested within the prerogative of the city manager.

President Dages concurred it was inappropriate and frustrating for council to get information from the Fresno Bee adding that divides the administration and the council; stated it would be best to be all inclusive and council needed to be shown a little respect relative to providing information; expressed concern with listening and learning about this on the dais; stated 26 employees at \$100,00 a year average would result in \$260,00 of bonuses yet money can not be found for contracts for the first year for employees; spoke to the 10% increase/decrease and personalities getting involved stating it was his feeling if you are a friend of the administration you get 10% and if you don't agree with the administration you don't get your 10%; questioned when Imagine 21 would be coming before council and if the enterprise departments were funded for this; and stated it was frustrating and the perception was staff was going to do this whether council liked it or not and reiterated his support for being all inclusive. Mr. Hobbs responded throughout, stated he was accountable for communication and he would do a better job of keeping council informed, and clarified conceptually staff was moving in this direction and again committed to doing better in filling council in on the details as this moves along. There was no further discussion.

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#### **LUNCH RECESS - 12:13 P.M. - 2:00 P.M.**

The City Council reconvened and adjourned immediately to closed session.

#### **(10:00 A.M. #2) CLOSED SESSION OF THE REDEVELOPMENT AGENCY**

**(D) PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT - TITLE: EXECUTIVE DIRECTOR OF THE REDEVELOPMENT AGENCY**

The City Council convened in closed session as the Redevelopment Agency in Room 2125 to consider the above matter and reconvened in open session at 2:38 p.m.

#### **CLOSED SESSION ANNOUNCEMENT**

Chair Boyajian announced the Agency voted 5-1-1, with Councilmember Calhoun voting "no" and Councilmember Westerlund Abstaining, for the Agency Chair and Vice Chair to begin negotiations with Interim Director Murphey for her appointment as Executive Director.

Councilmember Calhoun noted a council sub-committee was previously established and staff was directed by a majority vote to move forward on a search for an executive director, questioned if that action took precedence over this action just taken stating it circumvented the process and the will of council, and requested an opinion from the city attorney, with City Attorney Montoy stating the action just taken was legal and explained. Councilmember Calhoun reviewed the background and expressed his concerns and spoke to various issues at length including ex-director Fitzpatrick's resignation, prior action taken to conduct an audit of the agency's structure, Ms. Murphey serving as interim director and doing a fine job as that was expected of her but that not warranting her being promoted, the Agency board pulling a "fast one" here and his non-pleasure of the way it was handled, the high suspicion in the community on the ex-director's departure, concern with Councilmember Duncan scheduling this closed session without informing the sub-committee, need for Ms. Murphey to have competed for the job if she wanted it and to determine if she was best of the best, this not being a personal issue with Ms. Murphey, concern that the community will hear Forest City, Chinatown, Armenian Town, etc. want Ms. Murphey in this position as it will cast suspicion on every single move the Agency and Ms. Murphey makes, and his not being proud of this vote.

Ms. Montoy acknowledged Councilmember Calhoun had a right to disagree with his colleagues on policy direction and with her on legal opinions but stated she did not appreciate Councilmember Calhoun's comment that he was not surprised with the legal opinion she gave inferring some biased opinion on her part, with Councilmember Calhoun apologizing and stating that was not his intention.

Councilmember Duncan stated he, too, was compelled to respond and acknowledged this had been a long process but stated it was complicated by a number of factors, emphasized there was no intentional delay and there were no tricks played to get this done, clarified his wanting to bring Ms. Murphey's name forth for consideration was discussed in the sub-committee meetings and he did not hide his comfort with that, and stressed the Agency Board made the decision -- not just him -- and added personal accusations were made and his credibility was attacked because Councilmember Calhoun did not prevail. Chair Boyajian stated everything Councilmember Duncan did he also did, spoke to the success of the Redevelopment Agency and all it has done these past few years and stressed Ms. Murphey had been there through all the projects, and emphasized this was not about politics but about getting things done and Ms. Murphey deserved the job and elaborated.

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The Redevelopment Agency recessed at 2:58 p.m. and the City Council reconvened in regular session.

**(2-A) BILL FOR INTRODUCTION AMENDING THE FRESNO MUNICIPAL CODE RELATING TO THE CITY'S ADMINISTRATIVE HEARING PROCEDURES, SELECTION OF HEARING OFFICERS, AND THE COST AND PENALTY RECOVERY ORDINANCE AND ADMINISTRATIVE CITATION PROCEDURES**

Laid over one week at the direction of the city attorney.

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**(2:30 P.M.) PUBLIC COMMENT PERIOD - SCHEDULED COMMUNICATION:**

**1. APPEARANCE BY ERIC WARDWELL REGARDING (1) REQUEST TO COUNCIL TO DIRECT CODE ENFORCEMENT TO REMOVE A ROOSTER IN HIS NEIGHBORHOOD, AND (2) HIS CONFLICT WITH CODE ENFORCEMENT**

**(6 - 0)** Appearance made. Councilmember Sterling responded and advised it was her understanding the rooster had been located and staff was going to speak with the owners to get the situation resolved. Brief discussion ensued.

**2. APPEARANCE BY MICHAEL BUMGARNER TO DISCUSS THE PARKING AND STORAGE OF RECREATIONAL AND COMMERCIAL VEHICLES ON CITY STREETS**

Appearance made. Councilmember Duncan acknowledged parking/storage violations were a problem city-wide, requested the city attorney provide a report with recommendations on how to strengthen the city's regulations, and stated he would provide a copy of the report to Mr. Bumgarner and meet with him on the issue.

**UNSCHEDULED COMMUNICATION:**

**APPEARANCE BY BARBARA HUNT REGARDING THE ILLEGALITY OF THE REDEVELOPMENT AGENCY**

Appearance made.

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**(2:00 P.M.) WORKSHOP ON THE KRONOS WORKFORCE CENTRAL SOFTWARE SUITE AND COGNOS REPORTNET SOFTWARE**

Mayor Autry gave opening remarks stating this would be one of the most important reforms that the City has ever undertaken, advised this had taken a year and a half in the making to get to this point, and stated this system would revolutionize the way the business is done at City Hall and would allow for a true outcome-based government built on performance, accountability and team work and elaborated.

The workshop was presented by Deputy Mayor Montero who gave an overview of the comprehensive nine-part system; Assistant City Manager Souza who spoke to the systems' transition to the city operation and answered some key questions that have been asked; and Transportation Manager Rudd **(7 - 0)**, General Services Director Nerland and Planning & Development Director Yovino who spoke to how these systems would affect their departments and urged Council's support.



Continuing with the presentation were: Craig Castro, Senior Vice President, IT, Community Medical Center, and Darrell Graves, Customer Services Manager, Beef Packers, who spoke to the fantastic results their institutions have had using the Kronos system. Larry Florio and Eric Fraser from Kronos gave a demonstration of the Kronos system and spoke to the problem Kronos would solve. After Mr. Florio's thirteen minute presentation and few minutes into Mr. Fraser's portion Councilmember Calhoun apologized for the interruption but questioned if Council, as policy makers, were at the level where they needed to look at this kind of detail, and stated this was a policy workshop dealing with policy issues and he was not interested in looking at the amount of detail that was being presented. Brief discussion ensued and President Dages stated he would open the matter to council at this point noting the presentation had been going on for one hour.

Councilmember Calhoun stated he had not heard about this until recently; spoke to performance pay that was discussed this morning and how he learned of that through the newspaper, to the PeopleSoft system and needs and to how this system was not discussed, and to the 3-1-1 system he and Councilmember Duncan brought forth two years ago which would allow the public to better access the city and questioned what happened to it since accountability was being talked about; and stated now a new system was here which was not budgeted for and which council knew nothing about, questioned who else bid on this and who else was out there, stated this was coming to council as a "take it or leave it", and stated council was supportive of accountability but there seemed to be one surprise after another. Mayor Autry responded stating this was the kind of "Mr. Calhoun foolishness" that he referred to at the beginning, asked council to please bear with him and advised Mr. Calhoun asked him many times privately to do what was being done here, stated Mr. Calhoun had been briefed and he never brought up one objection, apologized the length of time the workshop took and stated to cut it off and pick it up at another time would have been appropriate and understood but to cut it off and say council knew nothing about this did not make sense, and stated everyone was on the same team and in this together and emphasized this was a sincere attempt to inform council with a proven, prestigious company with over 40,000 customers. Councilmember Boyajian stated he, too, had never heard about this or been asked to be briefed, and stated this was not a computer issue and explained, and spoke to his concerns with the presentation and with council being "belittled", with Mayor Autry responding and expressing concerns.

#### **RECESS - 4:31 P.M. - 4:38 P.M.**

Workshop proceedings continued after the two following matters were addressed.

#### **(2:45 P.M.) HISTORIC PRESERVATION - CONSIDER NOMINATIONS TO THE LOCAL REGISTER OF HISTORIC RESOURCES**

1. RESOLUTION - DESIGNATING THE J. M. MENEND/MURRAY ICE CREAM COMPANY BUILDING AT 175 FULTON STREET TO THE LOCAL REGISTER
2. RESOLUTION - DESIGNATING THE W. P. CUTTING FLATS AT 2-16 SAN PABLO AVENUE TO THE LOCAL REGISTER

Laid over to February 15, 2005, at 9:45 a.m.

#### **(3:00 P.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

#### **APPROVE MINUTES OF FEBRUARY 1, 2005**

**(A) DIRECT STAFF TO PREPARE NECESSARY DOCUMENTS TO CONTRACT WITH ALLIANCE RESOURCE CONSULTING TO CONDUCT A SEARCH FOR THE VACANT RDA EXECUTIVE DIRECTOR POSITION - RDA COMMITTEE (AGENCY ACTION)**

**(B) SET THE SALARY RAGE FOR THE EXECUTIVE DIRECTOR OF THE RDA - RDA COMMITTEE (AGENCY ACTION)**

The entire RDA meeting was laid over one week.

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Workshop proceedings continued. Mayor Autry stated he would be willing to brief Council and staff anytime and any place and added he would set up a meeting with Councilmember Boyajian so he could be briefed, with Councilmember Boyajian accepting.

Extensive discussion ensued. Mr. Souza, Mr. Rudd, Mr. Nerland, Ms. Zieba, and ISD Director Hendricks responded to numerous questions of Councilmember Boyajian relative to the internal committee that was formed **(8 - 0)** and what they looked at, if Kronos was here for five months and if they were paid, what Kronos evaluated and what the conclusions were, numerous questions on what the system would do, how the system would help with communication with employees, monitoring

and who would input data, what Mr. Rudd felt the system would do for his department, who would oversee the data being put into the system, why other firms were not looked at, if this was the only firm that provides this system, additional questions on the committee and how criteria was formulated, if ISD never talked about Kronos

before because it was new, and if customer satisfaction was a goal. Councilmember Westerlund spoke to the issue including how he learned of the system and to his suggestion to hold a workshop, stated he was interested in seeing the remainder of the presentation, and presented questions relative to whether the system would be implemented soon in some departments and how long it took to be implemented at Community Medical Center, with Mayor Autry and Mr. Castro responding. Councilmember Duncan thanked the Mayor for presenting the workshop; stated what was being attempted to be done here would not really do a lot of different things, it was so fundamental, **(9 - 0)** and it was not a threatening issue at all and was just a management and employee tool; stated he also wanted to see the Cognos demonstration; questioned if the performance pay system and this system would provide numbers/data, find weaknesses, and clearly identify top performers and those who need help; and questioned why everyone was so afraid, stated the 3-1-1 system would need a basic data-gathering system in place first, and stated the information gathered was not to be feared.

Mr. Souza, Mr. Rudd, Ms. Zieba, FCEA business representative Correa, and Mr. Castro responded to questions and comments of President Dages and Councilmember Calhoun relative to date the system would be implemented, if there was a money-back guarantee should the system fail, if this would replace FAX's systems, the five-month payback and type of return expected, what Mr. Correa thought of the system, what his concerns were, and if he felt the system could be adaptable, if staff was going to address the union's concerns, if the role of Community Medical Center and the Heart Hospital was to break even or make a profit, if the entities would cease to exist if they were in the red all the time, if this accountability was part of the process to improve hospital efficiencies, what Kronos was doing for those entities or if the system would make much of a difference, the police department's different reporting system and serious problem that Kronos would not address, and the thousands of dollars just spent on the fire department's tracking system.

Relative to the question on whether this was the extent of Council's role in the project, Ms. Montoy clarified council would have to approve the financing and approval of contracts with Kronos and Cognos, and further clarified competitive bidding was not done and staff was relying on the "piggy-back" process in which competitive bidding is not mandated if a purchase is made through the government or through a government process. Mr. Hendricks briefly addressed Councilmember Calhoun's comments on Kronos' ability to inter-face with some department's systems and explained why it could not interface with the police and fire's current systems.

Proceedings were interrupted to address the following matter.

**(3-A) CONSIDER AND SET TERMS FOR CITY-APPOINTED MEMBERS OF THE CHAFFEE ZOO NON-PROFIT BOARD - COUNCILMEMBER BOYAJIAN**

Laid over one week at the direction of Councilmember Boyajian.

Workshop proceedings continued and Ms. Zieba and Deepak Nelli from Cognos gave a demonstration of the Cognos Reportnet Software.

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**ADJOURNMENT**

There being no further business to bring before the Council, the hour of 6:10 p.m. having arrived and hearing no objections, President Dages declared the meeting adjourned.

**APPROVED** on the \_\_\_\_15th\_\_\_\_ day of February, 2005.

\_\_\_\_\_/s/\_\_\_\_\_  
Mike Dages, Council President

ATTEST:\_\_\_\_\_/s/\_\_\_\_\_  
Yolanda Salazar, Assistant City Clerk

